Law to contain communal riots

†3001. SHRI UDAY PRATAP SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are considering to bring a Bill to tackle the communal riots effectively; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL): (a) and (b) A Bill to enact a comprehensive law to deal with communal violence in the country is under preparation. The proposed enactment would, *inter-alia,* provide for more stringent punishments for dealing with offences relating to communal violence/acts, wherever required, relief and rehabilitation of riot victims and speedy trial and disposal of cases through Special Courts etc.

Replacing IPC with Cr.PC

†3002. SHRI NAND KISHORE YADAV: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that IPC and Cr.PC framed by British are still existing;

(b) if so, whether Government are considering to replace Cr.PC and IPC in toto in the changing scenario;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): (a) to (c) The Code of Criminal Procedure, 1973 and the Indian Penal Code, 1860 are being amended as and when need arises, on the basis of the recommendations of the Law Commission of India or other special Committees set up for the purpose. The Code of Criminal Procedure (Amendment) Bill, 1994 which has 49 clauses and was introduced in the Rajya Sabha is based on the recommendations made by the Law Commission, National Police Commission and other agencies. The thrust areas of the Bill are:—

(i) Toning up the investigative machinery and process;

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†Original notice of the question was received in Hindi.

(ii) Strengthening the prosecution and related machinery;

(iii) Streamlining and improving procedures, especially from the point of view of expediting trial court procedures;

(iv) Tackling the problem of undertrials and matters connected with the grant of bail; and

(v) Effecting miscellaneous improvements.

The Criminal Law (Amendment) Bill, 2003, introduced in the Rajya Sabha on 22nd August, 2003, have also proposals to amend various provisions of the Cr. P.C. and IPC.

Apart from the above, the Malimath Committee on Reforms of Criminal Justice System in its report have recommended various changes to the Code of Criminal Procedure, 1973, the Indian Penal Code, 1860 and other laws. The Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India and they, are administered by the State Governments. Therefore, before effecting major changes in these laws, consultations with State Governments are essential. Accordingly, the Report of the Malimath Committee was forwarded to the State Governments for their views.

(d) In view of above, does not arise.

Status of Bangladesh Border Fencing

3003. SHRI URKHAO GWRA BRAHMA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the progress of border fencing in the Assam part of Indo-Bangladesh Border;

(b) the total expenditure already incurred and estimated amount of cost required to complete the work;

(c) whether there is unnecessary delay in work progress; and

(d) if so, the reason therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): (a) arid (b)The Government of India has sanctioned construction of 223 Km. of fence in Assam Sector and out of this 153